

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DEMETRIUS COLEMAN, :  
Plaintiff, :  
: 21 Civ. 10537 (LGS)  
-against- :  
: ORDER  
26 MOTORS CORP., et al., :  
Defendants, :  
-----X

LORNA G. SCHOFIELD, District Judge:

WHEREAS, Defendant filed a pre-motion letter arguing that the case should be dismissed and decided by an arbitrator pursuant to the arbitration clause in the contract at issue (Dkt. No. 18);

WHEREAS, Plaintiff argues that the contract was never properly formed and proposes first resolving the contract formation issue (Dkt. No. 20).

WHEREAS, Defendant agrees to resolving the contract formation issue first (Dkt. No. 23).

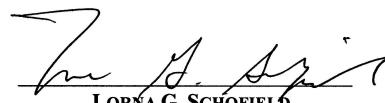
It is hereby

**ORDERED** the parties shall appear for an evidentiary hearing over Zoom on May 24, 2022, at 10:30 A.M. Each party is limited to 45 minutes for any questioning and argument. The hearing will last no more than 90 minutes. The Court will email the parties the Zoom link prior to the hearing. The public may listen to the hearing by calling 888-363-4749 and entering access code 558-3333. It is further

**ORDERED** that by **May 17, 2022**, the parties shall exchange any exhibits they intend to introduce into evidence at the hearing, as well as the names of any witnesses they intend to call at the hearing. By **May 18, 2022**, the parties shall email the exhibits and witness names to the Chambers email address at [Schofield\\_NYSDChambers@nysd.uscourts.gov](mailto:Schofield_NYSDChambers@nysd.uscourts.gov). If the exhibits cannot be emailed, counsel shall contact Chambers for a link to upload the documents.

The Clerk of Court is respectfully directed to close the motions at Dkt. Nos. 18, 21, and 23.

Dated: May 9, 2022  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE